IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6285 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

JAYESH KHEMABHAI

Versus

STTE OF GUJARAT

Appearance:

MR PRADEEP PATEL for Petitioners

MR SUBRAMANIAM IYER for Respondent No.3 and 4

MR LR POOJARI, AGP, for Respondent No. 1 and 2

CORAM : MR.JUSTICE A.L.DAVE

Date of decision: 17/04/2001

ORAL JUDGEMENT

1. Heard learned advocate Mr. P.J. Patel for the petitioners, Mr. S.H. Iyer for respondents No.3 and 4 and Mr. L.R. Poojari, learned Assistant Government Pleader, for respondents No.1 and 2.

2. It is stated at the Bar by learned advocate Mr. P.J. Patel and Mr. Iyer that the parties have negotiated and arrived at a settlement in respect of the dispute. He places on record the consent terms duly signed by the parties. It is taken on record.

3. As per the consent terms, respondent No.3 and the legal representatives of respondent No.4 have admitted the sale of agriculture land bearing survey No.329/1, 329/7/1 and 329/7/2 of Thaltej, Ahmedabad and do not dispute entry No.7781 in village form No.6. They also do not dispute entry No.8308 made after the order of the Collector dated November 20, 1998. Respondents No.3 and 4/1 to 4/7 have agreed and undertaken not to challenge the sale deed, order or entry No.8308.

3.1 The said respondents have agreed to make an application to the Talati-cum-Mantri of Thaltej to make necessary entry in the name of the petitioners in village form No.6 pursuant to an order passed by this Court in this petition on September 29, 1999. The Talati-cum-Mantri, Thaltej will act on the application so made.

4. Respondents No.3 and 4/1 to 4/7 have agreed not to challenge either jointly or severally and not to raise any kind of dispute whatsoever in respect of the above referred lands sold to the petitioner before any authority or Court. The petitioners have agreed to withdraw the present petition in view of the above settlement.

5. In view of the above settlement placed on record, Mr. Patel seeks permission to withdraw this petition. Permission granted. Petition stands disposed of as withdrawn. Rule is discharged. No costs.

[A.L. DAVE, J.]

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